

REMARKS

Claims 1-17 are pending in the present application.

The Examiner has required election in the present application between:

Group I, claims 1 and 13-17, drawn to a record management;

Group II, claims 2-4, drawn to a user access encryption;

Group III, claims 5-8, drawn to data structure with the user interface; and

Group IV, claims 9-12, drawn to converting data format to image format.

For the purpose of examination of the present application, Applicant elects, with traverse, Group II, claims 2-4.

The restriction requirement is respectfully traversed. When multiple distinct inventions are present in an application, MPEP 803 provides that "if the search and examination of an entire application can be made without serious burden, the examiner must examine it on the merits, even though it includes claims to independent or distinct inventions." There are three ways an examiner can make a *prima facie* showing of a serious burden, which are listed at MPEP 808.02. In the present case, the examiner has indicated that the inventions of Groups I, II and III are separately classified. However, each of these inventions defines a

data managing method or a data managing system. It thus appears that there will be substantial overlap in the classification and search of these inventions. If invention I is drawn to a record management, it would seem that inventions II and III involve record management as well and would require a similar search to that required for invention I. Invention III is also a data managing system, although the Office Action states that it is a data structure, specifically, an "object oriented data structure network," according to the classification provided in the Office Action. It is not understood how invention III is a data structure, but if it is, it would seem that inventions I and II are data structures as well. Thus, while three distinct inventions may be present in this application, it is respectfully submitted that these inventions can be examined together in a single application without undue burden in view of their similar classifications. The restriction requirement is respectfully traversed for the foregoing reasons.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Scott Wakeman (Reg. No. 37,750) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

Appl. No. 09/986,679


If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

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